

Gena L. Sluga, SBN 9910
 Tyler J. Watson SBN 11735
 Christian, Kravitz, Dichter, Johnson & Sluga, LLC
 8985 Eastern Avenue, Suite 200
 Las Vegas, Nevada 89123
gsluga@cslawfirm.com
tjwatson@ksjattorneys.com

Nancy J.W. Brown, Esq., SBN 4484
 Musick, Peeler & Garrett LLP
 333 South Hope St. Suite 2900
 Los Angeles, CA 90071
n.brown@musickpeeler.com
Attorneys for Plaintiff
 COVINGTON SPECIALTY INSURANCE
 COMPANY

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

COVINGTON SPECIALTY INSURANCE
 COMPANY, a New Hampshire Corporation,,

Plaintiff,

vs.

FREAKLING BROS. INC., a Nevada
 Corporation; GRAND FLAMINGO CAPITAL
 MANAGEMENT, LLC., a Nevada Limited
 Liability Company; JA KENNEDY REAL
 ESTATE COMPANY, a Nevada Corporation,;

Defendant.

Case No. 2:23-cv-00968-APG-VCF

**DISCOVERY PLAN AND SCHEDULING
 ORDER**

[Submitted in Compliance with LR 26-1(b)]

The parties held a scheduling conference under Federal Rule of Civil Procedure 26(f) on September 20, 2023. The parties will exchange initial disclosures 14 days after this meeting, or on October 4, 2023. The parties now submit their proposed discovery plan and scheduling order in compliance with LR 26-1(b).

1. Discovery Cut-Off Date. The first defendant answered or otherwise appeared on September 1, 2023. The discovery cut-off date is March 1, 2024.¹

¹ Defendant Freakling Bros. Inc. reserves the right to move to stay discovery and scheduling order deadlines pending the outcome of its Motion to Dismiss [ECF No. 23]. Covington submits that the motion to dismiss lacks merit and that there is no basis for a discovery stay. The parties intend to meet and confer further. If the parties are unable to come to a consensus, Freakling Bros. Inc.

**CHRISTIAN, KRAVITZ, DICHTER,
JOHNSON & SLUGA, LLC**
Attorneys
8985 S. Eastern Ave., Suite 200
Las Vegas, Nevada 89123

2. Amending the Pleadings and Adding Parties. The deadline to amend the pleadings and add parties is December 1, 2023.

3. Expert and Rebuttal-Expert Disclosures. The deadline to disclose experts is January 9, 2024. The deadline to disclose rebuttal experts is February 9, 2024

4. Dispositive Motions. The deadline to file dispositive motions is April 1, 2024.

5. Pretrial Order. The deadline to file a pretrial order is May 1, 2024.

6. Fed. R. Civ. P. 26(a)(3). The disclosures required by this rule and any objections to them must be included in the joint pretrial order.

7. Alternative Dispute Resolution. The parties certify that they met and conferred about the possibility of using alternative dispute-resolution processes including mediation, arbitration, and if applicable, early neutral evaluation.

8. Alternative Forms of Case Disposition. The parties certify that they considered consent to trial by a magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 and the use of the Short Trial Program (General Order 2013-01). The parties agreed that they would not consent to trial by a magistrate judge.

9. Electronic Evidence. The parties certify that they discussed issues pertaining to electronic evidence in the course of discovery, and agreed to further discuss whether to present evidence in electronic format to jurors for the purpose of jury deliberations.

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reserves the right to file a Motion to Stay discovery at that time.

10. Discovery disputes: The parties agree that before moving for an order relating to discovery, the movant must request a conference with the assigned magistrate judge.

Dated this 4th day of October, 2023

IT IS SO STIPULATED.

**CHRISTIAN, KRAVITZ, DICHTER, WRIGHT, FINLAY & ZAK
JOHNSON & SLUGA, LLC**

/s/ Tyler J. Watson, Esq.
Gena L. Sluga, SBN 9910
Tyler J. Watson SBN 11735
8985 Eastern Avenue, Suite 200
Las Vegas, Nevada 89123
gsluga@cdslawfirm.com
tjwatson@ksjattorneys.com


/s/ Darren T. Brenner
Darren T. Brenner, Esq.
(No. 8386)
7785 W. Sahara Ave., Suite 200
Las Vegas, NV 89117
Attorneys for Defendant
Freakling Bros, Inc.

Nancy J.W. Brown, Esq., SBN 4484
Musick, Peeler & Garrett LLP
333 South Hope St. Suite 2900
Los Angeles, CA 90071
n.brown@musickpeeler.com
Attorneys for Plaintiff
Covington Specialty Insurance Company

GARMAN | TURNER | GORDON

/s/ Eric R. Olsen
Eric R. Olsen, Esq. (No. 3127)
7251 Amigo Street, Suite 210
Las Vegas, NV 89119
Attorneys for Defendant
JA Kennedy Real Estate Inc.

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

DATED: 10-4-2023

CHRISTIAN, KRAVITZ, DICHTER,
JOHNSON & SLUGA, LLC
Attorneys
8985 S. Eastern Ave., Suite 200
Las Vegas, Nevada 89123